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Letter dated 21 October 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

Annexed hereto is the seventeenth work programme for the Committee established pursuant to paragraph 6 of Security Council resolution 1373 (2001) (the Counter-Terrorism Committee), which covers the months from October to December 2005 (see annex I).

The activities of the Committee will proceed in compliance with the provisions of Security Council resolutions 1373 (2001), 1535 (2004), 1566 (2004) and 1624 (2005).

The Committee will continue to work with Member States on the implementation of Security Council resolution 1373 (2001), guided by the principles of cooperation, transparency and equal treatment, and will continue its efforts to complete the revitalization process. The Committee will remain focused on strengthening consensus within the international community on the importance of combating terrorism, taking practical measures designed to enhance the counter-terrorism capacity of States, helping to identify and address the problems faced by States in implementing Council resolution 1373 (2001), and contributing to the process of increasing the number of States that are parties to the relevant anti-terrorism international conventions and protocols. Also, the Committee will take steps to encourage implementation of Council resolution 1624 (2005).

The Counter-Terrorism Committee welcomes the support it has received from Member States, the United Nations Secretariat and international, regional and subregional organizations and appreciates the contribution by the Counter-Terrorism Committee Executive Directorate.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Ellen Margrethe **Loj**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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Annex

Work programme of the Counter-Terrorism Committee (1 October-31 December 2005)

Introduction

1. The present document sets out the work programme of the Counter-Terrorism Committee for its seventeenth 90-day period, from 1 October to 31 December 2005.

2. Most notably, the Counter-Terrorism Committee Executive Directorate is now fully staffed and the final elements are being put into place in order to be able to declare it operational. The Committee will therefore reap the full benefit of the assistance envisaged in the documents regarding the revitalization of the Committee. It is the strong hope of the Committee that, over the coming months, this enhanced support capacity will enable real progress and results within the scope of the mandate of the Committee. It is hoped that the Member States will also soon benefit from the enhanced capacity to help and advise them on their implementation of Council resolutions 1373 (2001) and 1624 (2005). The Committee puts great emphasis on its responsibility to provide the Counter-Terrorism Committee Executive Directorate with policy guidance in line with Council resolution 1535 (2004) in order to enable the Executive Directorate to fulfil its mandate to assist the Committee in its work.

3. The Committee will be assisted in its implementation of this work programme by the Counter-Terrorism Committee Executive Directorate through implementation in turn of the Executive Directorate's second work programme (see appendix).

Summary

4. While the Committee will continue its general work to implement its mandate, the Committee will, over the next three months, give priority to the following:

(a) Focus on timely review of and response to reports received from Member States in order to clear the backlog;

(b) Enhance the identification of technical assistance needs and seek to ensure that the necessary dialogue with Member States takes place to seek their agreement on such identified needs;

(c) Take initiatives to fulfil the Committee's role as facilitator of technical assistance, through strengthening its dialogue with potential donors and assistance providers;

(d) Take action to ensure prompt implementation of operative paragraph 6 of Security Council resolution 1624 (2005);

(e) Consider ways to improve cooperation with all relevant international, regional and subregional organizations and encourage and assist them to develop capacity to better help members implement Security Council resolution 1373 (2001);

(f) Discuss how to develop a set of best practices to assist States in implementing the provisions of Council resolution 1373 (2001). Also, the

Committee will seek to finalize the work on best practices in relation to the financing of terrorism;

(g) Take steps to enhance the dialogue with Member States about their implementation of Council resolutions 1373 (2001) and 1624 (2005), through two more visits to Member States upon their consent and with proper follow-up, as well as strengthening the regular contacts by the Committee and its Executive Directorate with Member States, as appropriate;

(h) Review the Committee's dialogue with States with a view to ensuring that all aspects of Council resolution 1373 (2001) are fully covered.

At the same time, the Committee will continue to give priority to work in the following areas:

(i) Continue to explore how to enhance cooperation and coordination between the counter-terrorism-related subsidiary organs of the Security Council, as well as their respective groups of experts;

(j) Continue to urge those States late in submitting reports to the Committee to submit them at the earliest opportunity;

(k) Continue to ensure transparency in the work of the Counter-Terrorism Committee, including through meetings with the membership, use of the Committee website and a proactive communications policy.

I. Reporting to the Committee and review of reports

5. By 30 September 2005, the Committee had received 622 reports from Member States and others. This figure includes first reports from 191 Member States, 169 second reports from Member States, 130 third reports from Member States, 101 fourth reports from Member States and 22 fifth reports from Member States. Also, the Committee had in all received 9 reports from others. It is the Committee's priority to clear the backlog by the end of 2005 and the Committee aims to ensure timely review and response to reports.

6. The Committee will continue to address the issue of States late in submitting their reports. The Committee welcomes the fact that, since the last publication of States late in submitting their reports (S/2004/982), 24 of those States have submitted their reports. However, the Committee continues to note with great concern that 60 States have missed the deadline for the submission of their respective reports. The Committee encourages those States that find themselves incapable of presenting timely reports to duly inform the Committee. Emphasizing the importance of timely reporting, the Committee will continue to work with States to address this issue, taking into account their specific situation.

7. The Committee stresses that responsibility for the preparation of reports to the Committee rests with States. At the same time, the Committee has taken note of the "reporting fatigue" indicated on several occasions by a number of Member States and will discuss, in cooperation with other relevant subsidiary bodies of the Security Council, how this issue can be addressed, including by seeking ways to provide advice to States on content of reports.

8. The Committee will continue to enhance its cooperation with the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, the Committee established pursuant to resolution 1540 (2004) and the working group established pursuant to resolution 1566 (2004), as well as with the Counter-Terrorism Committee Executive Directorate and the respective groups of experts. The Committee will seek to ensure that there is a full exchange of national reports, visit reports and other relevant information between and among the respective Committees and groups of experts, including with regard to visits to States and other official travel and technical assistance. As mandated in Security Council presidential statements PRST/2005/16 and 34, the Committee will continue its consideration as to how, in a coordinated manner, it might be possible to address the question of late submission of reports to all three Committees.

9. With the adoption of Security Council resolution 1624 (2005), the Council directed the Committee to include in its dialogue with Member States their efforts to implement the resolution. The Committee will, as part of its dialogue with States on the implementation of Council resolution 1373 (2001), request States to report to the Committee at the same time on their implementation of resolution 1624 (2005).

10. With due respect to the various aspects of its mandate as set by the Security Council, the Committee will deliberate as to how the human rights perspective might be appropriately incorporated into the Committee's policy and substantive work.

II. Facilitation of technical assistance

11. It remains a key objective for the Counter-Terrorism Committee to facilitate the provision of technical assistance aimed at strengthening the counter-terrorism capacity of States, which are striving to fulfil their obligations to implement the provisions of Security Council resolution 1373 (2001) but lack the capacity to do so. At the same time, the Committee stresses that the responsibility for implementing the provisions of the resolution rests with the Member States. The Committee will explore ways to ensure that States are helped to get the assistance needed.

12. In order to ensure that the necessary assistance can be provided, the Committee and its Executive Directorate will strengthen their work with States to identify their individual needs. To that effect, the Committee will look at how to strengthen the needs assessments. Also, the Committee will enhance its dialogue with States in order to reach mutual agreement on such needs.

13. The G-8-led Counter-Terrorism Action Group provides significant counter-terrorism assistance, which lends support to the Committee's work. The Committee will seek further reinforcement of this cooperation. Moreover, the Committee will consider how to develop a closer relationship with the broader donor community, with the aim of ensuring that the necessary assistance is available in all areas of Security Council resolution 1373 (2001), and that the assistance needs of States are met. The role of the Executive Directorate will be a critical component of this work.

14. The Committee has developed the Directory of Counter-Terrorism Information and Sources of Assistance, which can be consulted on the Committee's website, http://www.un.org/Docs/sc/committees/1373/ctc_da/index.html. The Directory is

designed to serve as a source of information on counter-terrorism-related best practices, model laws and available assistance programmes. The Committee has also produced an Assistance Matrix to collect updated information on requests received from States and on assistance offered by potential providers, including international, regional and subregional organizations. The Committee will consider how these information sources may be made more user-friendly, including by developing a database with the relevant information. In the meantime, the existing sources will be maintained and updated.

III. Guidance and dialogue

15. The Committee will continue to develop a direct dialogue with States about their implementation of Security Council resolution 1373 (2001). In this regard, the Committee will continue its visits to two Member States, in accordance with the general guidelines for conducting such visits, as well as the Framework Document for Committee visits to States, with their consent, in order to enhance the monitoring of the implementation of Council resolution 1373 (2001) and better identify possible needs for technical assistance. The Committee will ensure that these visits are properly followed up and that they are fully coordinated with relevant United Nations bodies and international, regional and subregional organizations.

16. The Counter-Terrorism Committee will continue to provide guidance to Member States about how to implement the provisions of Security Council resolution 1373 (2001). Through its subcommittees and its Executive Directorate, it will continue to meet with representatives of States to discuss and clarify issues related to implementation. Also, the Executive Directorate will continue to participate in seminars and workshops, when appropriate and upon invitation, which provide an opportunity to offer guidance on issues related to implementation of Council resolution 1373 (2001).

17. In order to further develop the guidance for Member States in their implementation of Security Council resolution 1373 (2001) and, in due course, Council resolution 1624 (2005), the Committee will discuss how to develop a set of best practices to assist States in implementing the provisions of Council resolution 1373 (2001) and seek to finalize the work on best practices in relation to the financing of terrorism. In this regard, the Counter-Terrorism Committee welcomes all the work done in other relevant international, regional and subregional organizations to develop standards, codes and best practices in areas of relevance to resolution 1373 (2001). It is well established that the Committee should bear in mind all the international best practices, codes and standards that are relevant to implementation of resolution 1373 (2001), while monitoring States' implementation.

IV. Cooperation with international, regional and subregional organizations

18. The Committee encourages the relevant international, regional and subregional organizations to play their specific role in providing guidance to their respective Member States on the implementation of Council resolution 1373 (2001). To that end, the Committee will continue to strengthen its interaction with international, regional and subregional organizations, including through ensuring an equitable

geographical balance in its contacts with those organizations and by strengthening cooperation with organizations that have more recently identified a role in counter-terrorism.

19. The Committee will continue to urge those organizations, where appropriate, to develop ways, as a matter of urgency, to assist their member States in this endeavour. The Committee will consider how it can best support those regional organizations, some of whose members lack the capacity to fully implement Security Council resolution 1373 (2001) and how best to assist the regional organizations themselves in developing the needed capacity to help members in this regard. The Committee will also consider how international, regional and subregional organizations can play a role in the implementation of Council resolution 1624 (2005).

20. Pursuant to the action plan agreed at the special meeting of the Counter-Terrorism Committee held on 6 March 2003, the Committee has been expanding its contacts and cooperation with international, regional and subregional organizations. The Committee will continue to do so, including through implementation of the declaration and the Follow-up Action Plan adopted at the fourth special meeting in Almaty (Kazakhstan) from 26 to 28 January 2005. In this regard, the Committee intends to engage in preliminary discussions about the content and format for another special meeting.

V. Transparency in the work of the Committee

21. Transparency will continue to be a major objective of the work of the Counter-Terrorism Committee, including through the development of a proactive communications policy.

22. The Committee will continue to communicate information about its activities on a regular basis, including through briefings by the Chairman to interested delegations.

23. The Committee will consider how its website (http://www.un.org/docs/sc/committees/1373) can be further developed in order to become a better source of detailed information on all issues related to Security Council resolution 1373 (2001).

24. The Committee will continue to encourage all States to make direct contact with the subcommittees or with the Executive Director of the Counter-Terrorism Committee Executive Directorate to seek any necessary clarification on the issues covered in their correspondence with the Committee or on any other issue. (Telephone: 212 457 1261; fax: 212 457 4041; and/or email: CTED@un.org). In addition, the Executive Directorate may, when deemed appropriate, contact States to seek further clarification from them on issues arising from their reports.

Appendix

Letter dated 19 October 2005 from the Secretary-General addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

I have the honour to refer to paragraph 15 (f) of S/2004/124 dated 19 February 2004 in which the Counter-Terrorism Committee has requested the Executive Director of the Counter-Terrorism Committee Executive Directorate to submit, through the Secretary-General, the programme of work of the Directorate to the plenary.

I should be grateful if you would bring the attached programme of work to the attention of the members of the Committee (see enclosure).

(*Signed*) Kofi A. **Annan**

Enclosure

Work programme of the Counter-Terrorism Committee Executive Directorate (1 October to 31 December 2005)

Introduction

1. The present document sets out the work programme of the Counter-Terrorism Committee Executive Directorate for its second 90-day period, from 1 October to 31 December 2005. Since the Executive Directorate has been fully staffed as of 6 September 2005 and is, de facto, fully operational, this work programme has been developed in accordance with the relevant provisions of the report of the Counter-Terrorism Committee on its revitalization (S/2004/124). It takes into account the work programme of the Committee for its seventeenth 90-day period with due regard to the elements of a counter-terrorism strategy identified by the Secretary-General. The Executive Directorate will also respond to additional requests from the Committee during the period of the work programme.

Comprehensive review of the work of the Counter-Terrorism Committee Executive Directorate

2. The Executive Directorate will prepare for a comprehensive review of its work by the Security Council in December 2005, in accordance with paragraph 2 of Security Council resolution 1535 (2004).

Review of reports

3. The Executive Directorate will broaden its expert advice to the Committee in relation to implementation by Member States of Security Council resolution 1373 (2001) as follows:

- From 1 October to 31 December 2005, the Executive Directorate will prepare, for the Committee's review, analyses of the reports of at least 60 Member States, including all those which have been pending for more than three months.
- The Executive Directorate will work with Member States that are late in submitting their reports through their permanent missions in New York and direct contacts in their capitals. It will report to the Committee on the results of these contacts and advise on possible action.
- The Executive Directorate will enhance cooperation with the experts comprising the Analytical Support and Sanctions Monitoring Team established under Security Council resolution 1526 (2004) and with those of the Security Council Committee established pursuant to resolution 1540 (2004) in order to analyse, in particular, the reasons for the late submission of some reports of Member States to the relevant Security Council Committees. In analysing efforts of Member States to implement resolution 1373 (2001), the Executive Directorate will provide their reports to the other Committees for consultation and will exchange views with the experts of the Monitoring Team and the Security Council Committee established pursuant to resolution 1540 (2004).

The goal is to maximize synergies and avoid duplication and overlapping, including with regard to technical assistance. The Executive Directorate will coordinate with the Monitoring Team in preparation for Executive Directorate visits, invite its members, as appropriate, to participate in these visits and seek to develop broad-based conclusions emanating therefrom. It will organize meetings with the Monitoring Team and the experts of the Security Council Committee established pursuant to resolution 1540 (2004) in order to discuss matters of common concern and to ensure appropriate coordination in our work.

- Within the framework of Security Council resolutions 1373 (2001), 1456 (2003) and 1624 (2005) and in accordance with the report of the Counter-Terrorism Committee on its revitalization (S/2004/124) and with the organizational plan of the Counter-Terrorism Committee Executive Directorate (S/2004/642), the Executive Directorate will advise the Committee and follow its policy guidance with respect to the ways and situations in which a human rights perspective might be appropriately incorporated into its substantive work. In particular, the Executive Directorate will, inter alia, liaise with the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the protection of human rights and fundamental freedoms while countering terrorism, and other human rights organizations in matters related to counter-terrorism.

- The Executive Directorate will advise the Committee on how to include in its dialogue with Member States their efforts to implement Security Council resolution 1624 (2005).

Facilitation of technical assistance

4. In analysing reports of Member States, the Executive Directorate will prepare or update their preliminary technical needs assessments for Counter-Terrorism Committee adoption in the context of the implementation of Security Council resolution 1373 (2001). It will assist the Committee in its dialogue with Member States in order to reach mutual agreement on such technical needs. The Executive Directorate will explore ways of enhancing the capacity of Member States to implement the provisions of the resolution and, where applicable, to meet their reporting requirements. In that context, it will assist the Committee in considering how to strengthen and prioritize technical needs assessments and its dialogue with Member States to receive their consent to share proposed technical needs. As requested by the Committee, the Executive Directorate will prepare a paper on a technical assistance strategy for consideration by the Committee in October. It will provide the Committee with information on its current activities and recommendations on ways to facilitate the provision of technical assistance, with a view to the effective implementation of Council resolution 1373 (2001). The Executive Directorate will identify potential donors and develop a closer relationship with them in order to ensure that the necessary assistance is available for all areas of the resolution. It will also advise the Committee and Member States in need of technical assistance on possible sources of such assistance in areas related to the effective implementation of the resolution.

Guidance and dialogue

5. As mandated by Security Council resolution 1535 (2004), the Counter-Terrorism Committee Executive Directorate, in close cooperation with relevant international, regional and subregional organizations, will continue to conduct visits to Member States with their consent and to engage in detailed discussion with them on how to implement Council resolution 1373 (2001) and to facilitate the provision of technical assistance for such implementation. The Executive Directorate will prepare and conduct two approved visits to Algeria and the Philippines and work with the four Member States that have already been visited in order to ensure timely, effective follow-up to these visits. It will also propose new candidates for visits and prepare a discussion paper on follow-up procedures for consideration and action by the Committee in October. The Executive Directorate will analyse the development of best practices in all areas of relevance to Council resolution 1373 (2001) as an important element of its overall effort to give Member States a better understanding of the additional steps that should be taken in implementation of each provision of the resolution. It will prepare a general overview paper on existing best practices for consideration by the Committee no later than December. Based on its conclusions, the Executive Directorate will prepare recommendations on best practices in specific areas, as guided by the Committee.

Cooperation with international, regional and subregional organizations

6. The Executive Directorate will strengthen cooperation with all relevant international, regional and subregional organizations in order to enhance their capacity to assist their member States in the implementation of Council resolution 1373 (2001). It will, therefore, liaise with those organizations on available technical assistance programmes and projects to compile a comprehensive document outlining such programmes.

As part of this effort, the Executive Directorate will continue to:

- Maintain an online directory of technical assistance programmes and offers;
- Encourage and assist, as appropriate, international, regional and subregional organizations in developing assistance programmes to address the capacity needs of their member States in all the areas covered by Council resolution 1373 (2001);
- Attend relevant counter-terrorism events (workshops, seminars, conferences, etc.) organized by Member States and international, regional and subregional organizations, subject to the Committee's approval, in particular, to raise awareness of the work of the Committee and the Executive Directorate, to forge contacts with Member States and representatives of relevant organizations, and to identify problems in implementation of Council resolution 1373 (2001), needs for technical assistance and best practices;
- Suggest international, regional and subregional organizations to be invited to brief the Committee on the development and implementation of their counter-terrorism action plans and on their efforts to encourage their member States to implement the resolution.

- Coordinate closely with organizations participating in Executive Directorate visits to Member States in order to ensure appropriate, timely follow-up on issues raised during past visits and consistent approaches in future visits, with a view to implementation of the resolution;

- Advise the Committee, as appropriate, on follow-up to the initiatives agreed at the Committee's special meetings with international, regional and subregional organizations, held in New York (in March 2003), Washington, D.C. (in October 2003), Vienna (in March 2004) and Almaty, Kazakhstan (in January 2005); and

- Provide the Committee, at its request, with new concepts and proposals for the further deepening of relations with international, regional, and subregional organizations, including on the content and format of the next special meeting, in order to stimulate their efforts to assist States in implementation of the resolution, paying special attention to those organizations which have recently identified their role in counter-terrorism.

Other activities

7. The Executive Directorate will prepare and submit, through the Secretary-General, a semi-annual comprehensive report to the Committee plenary. The Executive Director, on a monthly basis, will inform the Committee plenary about his work and will keep it informed on the progress of States in the implementation of Council resolution 1373 (2001) to allow an adequate follow-up on the progress of the fight against terrorism at the global level. The Executive Directorate will continue to ensure follow-up to the decisions of the Committee, monitor their execution and evaluate their results. It will report to the Committee on the progress of States in their accession to the international counter-terrorism conventions and protocols and will continue to participate in the work of the Counter-Terrorism Implementation Task Force established by the Secretary-General.

Transparency in the work of the Counter-Terrorism Committee Executive Directorate

8. The Executive Directorate will reorganize the Committee's website in order to make it more user-friendly and efficient. In addition, the provision of timely updates to the website will help facilitate implementation of Security Council resolutions 1373 (2001) and 1624 (2005) by posting all relevant documents, including Member States' reports, notes verbales, guidelines and work programmes for States, organizations and individuals seeking information on the work of the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate. The Executive Directorate, in close coordination with the Department of Public Information, has prepared a proactive, comprehensive communications strategy that will outline the objectives, challenges and planned public information strategies that focus public attention on the activities of the Committee and the Executive Directorate and will present its communication strategy for the Committee's consideration and approval in the near term.

Organization and administration of the Counter-Terrorism Committee Executive Directorate

1. The Executive Directorate now has:

   - A budget approved and funds allocated for 2005;

   - Certifying authority and it can enter into contracts;

   - A management structure in place, in accordance with document S/2004/441;

   - Suitably qualified personnel appointed to key substantive and support functions and an executable work plan; and

   - An Executive Director appointed and in a position to perform his specific functions as described in document S/2004/124.

Since the Executive Directorate was fully staffed as of 6 September 2005, it is, in fact, essentially a fully operational unit. It will need to be declared formally operational by the Committee, in consultation with the Secretary-General, pursuant to Security Council resolutions 1535 (2004) and 1566 (2004).

   - All new Executive Directorate staff will continue to receive the necessary training in order to become familiar with the work and procedures of the Committee and the Executive Directorate and thereby enhance their productivity. A critical element of this training concerns ways of identifying the technical assistance needs of Member States and facilitating the provision of such assistance. This training also includes coordination with assistance providers, including international, regional and subregional organizations, with a view to implementation of Council resolution 1377 (2001).

   - Following the 23 August 2005 submission of the Counter-Terrorism Committee Executive Directorate 2006 budget proposal in results-based budgeting format, the Executive Director and the Controller will appear before the Advisory Committee on Administrative and Budgetary Questions and, subsequently, the Fifth Committee in order to assist the Executive Directorate's budget requests for salaries, travel of members, travel, security and other essential operational costs as a special political mission for the period 1 January to 31 December 2006.

With regard to its administration and its relations to the United Nations system, the Counter-Terrorism Committee Executive Directorate will continue:

   - To ensure the effective submission of all relevant documents to the Committee Chairman for circulation to the Counter-Terrorism Committee Secretariat, Department of Political Affairs, to all Counter-Terrorism Committee Member States and others, as appropriate;

   - To work closely with the Executive Office of the Secretary-General, the Department of Political Affairs, the United Nations Office on Drugs and Crime in Vienna, the United Nations Development Programme, and all other relevant departments and offices of the United Nations system;

   - To monitor and analyse current events, developments, public opinion and press coverage related to terrorist acts, and steps taken to combat terrorism. In that

regard, it will enhance its close cooperation with the Department of Public Information to reflect that effort in its public presentations.

- To develop its electronic database, ensuring its compatibility with that of the Analytical Support and Sanctions Monitoring Team, established pursuant to resolution 1526 (2004), to support the work of the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities and the Security Council Committee established pursuant to resolution 1540 (2004).